

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMAS SHIMMEL,

Plaintiff,

v.

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

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Case No. 1:21-cv-358

Hon. Hala Y. Jarbou

**ORDER**

For the reasons stated in the opinion entered this date:

**IT IS ORDERED** that the Report and Recommendation of the magistrate judge (ECF No. 49) is **REJECTED**.

**IT IS FURTHER ORDERED** that the motion by Defendants Farago and Rutowski for dismissal and/or summary judgment (ECF No. 42) is **GRANTED** as set forth in the Court's opinion.

**IT IS FURTHER ORDERED** that Defendant Farago is **DISMISSED** because the complaint fails to state a claim against him and he is entitled to qualified immunity.

**IT IS FURTHER ORDERED** that Defendant Rutowski is **DISMISSED** because she is entitled to summary judgment.

Dated: March 20, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU  
CHIEF UNITED STATES DISTRICT JUDGE